IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 16066 of 2004

Between:

Syed Salam, S/o. Sri Syed Khaja, MUSLIM, R/o. 18-11-80/37, Barkas, Hyderabad.

..... PETITIONER

AND

1 Secretary, Regional Trasnport Authority (Regional Transport Officer), Hyderabad East, Malakpet, Hyderabad.
2 Assistant Motor Vehicle Inspector, Regional Transport Authority, Malakpet, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the seizure and continued detention of petitioner's vehicle LMV Matador Van bearing R.No.AP22/D-6490 seized under Vehicle Check Report No.676294 dated 31-8-2004, by the 2nd respondent i.e. the Assistant Motor Vehicles Inspector, Regional Transport Authority, Malakpet, Hyderabad, as illegal, unjust, arbitrary, unconstitutional and without jurisdiction and consequently direct the respodents to release the petitioner's vehicle LMV Matador Van R.No.AP22/D-6490 forthwith to the petitioner.

Counsel for the Petitioner:MR.RAJANIKANTH JWALA

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court at the admission stage, made the following :

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ORDER : (per Sri Bilal Nazki, J)

Heard learned Counsel for the parties. With their consent the Writ Petition is disposed of at this stage.

It appears that the petitioner's vehicle has been seized for violating the conditions of permit and for some other alleged offences. In the interest of justice, we dispose of this Writ Petition at this stage, directing release of vehicle subject to payment of tax due by the petitioner, without prejudice to his rights in the enquiry and further subject to filing an undertaking to the effect that he shall not alienate or in any way encumber the vehicle.

Writ Petition is accordingly disposed of. No costs.

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(BILAL NAZKI, J)

9th September, 2004.

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(S.ANANDA REDDY, J)

N.B:-

Wire at party's cost.

(B/o)

ajr

To

1 The Secretary, Regional Trasnport Authority (Regional Transport Officer),

Hyderabad East, Malakpet, Hyderabad.

2 The Assistant Motor Vehicle Inspector, Regional Transport Authority, Malakpet, Hyderabad.

3 Two C.Cs. to the Government Pleader for Transport, High Court

Buildings, Hyderabad (O.U.T).

4 Two C.D. copies.